

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
JONESBORO DIVISION**

LATORIA S. PAYNE

PLAINTIFF

V.

CASE NO. 3:14-CV-236 DPM/BD

DOES

DEFENDANTS

RECOMMENDED DISPOSITION

I. Procedures for Filing Objections:

This Recommended Disposition (“Recommendation”) has been sent to United States District Judge D.P. Marshall Jr. You may file written objections to this Recommendation. If you file objections, they must be specific and must include the factual or legal basis for your objection.

Your objections must be received in the office of the United States District Court Clerk within fourteen (14) days of this Recommendation. The Clerk of Court will furnish a copy of your objections to the opposing parties.

If no objections are filed, Judge Marshall can adopt this Recommendation without independently reviewing the record. By not objecting, you may also waive any right to appeal questions of fact.

Mail all objections to:

Clerk, United States District Court
Eastern District of Arkansas
600 West Capitol Avenue, Suite A149
Little Rock, AR 72201-3325

II. Discussion:

Plaintiff Latoria S. Payne, an Arkansas Department of Correction (“ADC”) inmate, filed this case pro se under 42 U.S.C. § 1983, alleging that she was given inadequate medical care while incarcerated at the Craighead County Detention Center. (Docket entry #2) Ms. Payne named only “Medical Staff @ Craighead County Detention Center” and “Craighead County Detention Center” as Defendants. In an order dated October 8, 2014, the Court explained to Ms. Payne her responsibility under the rules to identify and serve the “Doe Defendants” within 120 days. She was specifically warned that failure to identify the Defendants would result in dismissal of her claims. (#3) To date, Ms. Payne has failed to identify the Doe Defendants or to respond at all to the Court’s October 8, 2014 Order. The time to serve Defendants with process has expired. See FED. R. CIV. P. 4(m).

III. Conclusion:

The Court recommends that Ms. Payne’s claims be DISMISSED, without prejudice, based on her failure to comply with the Federal Rules of Civil Procedure, this Court’s October 8, 2014 Order, and Local Rule 5.5.

DATED this 9th day of February, 2015.


UNITED STATES MAGISTRATE JUDGE